



## **SOUTH BEND COMMON COUNCIL**

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### **MEETING AGENDA**

Monday, July 11, 2016  
7:00 P.M.

1. **INVOCATION-** ED WILLIAMS, SOUTH BEND POLICE DEPT. CHAPLAIN
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**
5. **SPECIAL BUSINESS**

BILL NO.

[16-56](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PROUDLY & PUBLICLY HONORING AND COMMENDING MAESTRO TSUNG YEH FOR HIS EXEMPLARY AND EXCEPTIONAL MUSICAL TALENTS AND LEADERSHIP FOR 28 SEASONS AS MUSIC DIRECTOR OF THE SOUTH BEND SYMPHONY

6. **REPORTS FROM CITY OFFICES**
7. **COMMITTEE OF THE WHOLE**

**TIME:** \_\_\_\_\_

BILL NO.

[32-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2016 OF \$385,775 FROM EMS CAPITAL FUND (#287), \$150,000 FROM SOLID WASTE FUND (#610), AND \$60,601 2011 SEWER BOND FUND (#659).

[33-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2016.

[34-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA,

APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2016 OF \$500 FROM DCI FUND (#212), \$850,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$114,762 FROM PARKS NONREVERTING CAPITAL FUND (#405), \$114,762 FROM PARKS FUND (#201), AND \$63,555 FROM MAJOR MOVES FUND (#412).

8. **BILLS ON THIRD READING**

**TIME:** \_\_\_\_\_

BILL NO.

[32-16](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2016 OF \$385,775 FROM EMS CAPITAL FUND (#287), \$150,000 FROM SOLID WASTE FUND (#610), AND \$60,601 2011 SEWER BOND FUND (#659).

[33-16](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2016.

[34-16](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2016 OF \$500 FROM DCI FUND (#212), \$850,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$114,762 FROM PARKS NONREVERTING CAPITAL FUND (#405), \$114,762 FROM PARKS FUND (#201), AND \$63,555 FROM MAJOR MOVES FUND (#412).

9. **RESOLUTIONS**

10. **BILLS ON FIRST READING**

BILL NO.

[35-16](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN CENTRE TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 22575 BLOCK U.S. 20 WEST, 22875 BLOCK U.S.20 WEST, 22965 U.S. 20 WEST, 24632 U.S. 20 WEST, 24650 U.S. 20 WEST, 24700 U.S 20 WEST, AND 54270 PINE ROAD, SOUTH BEND, INDIANA

[36-16](#) FIRST READING AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 202 BARTLETT STREET, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[37-16](#) FIRST READING AN ORDINANCE INITIATED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 2 BY ADDING SINGLE FAMILY DWELLING TO PERMITTED USES IN MF1 URBAN CORRIDOR MULTIFAMILY DISTRICT, MF2 HIGH-DENSITY MULTIFAMILY DISTRICT, AND MU MIXED USE DISTRICT

[38-16](#) FIRST READING AN ORDINANCE INITIATED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 3 BY ADDING GROUP RESIDENCE TO SPECIAL EXCEPTION USES IN CBD CENTRAL BUSINESS DISTRICT; AND SECTION 11 BY UPDATING THE DEFINITION OF FAMILY AND GROUP RESIDENCE.

11. UNFINISHED BUSINESS

12. NEW BUSINESS

13. PRIVILEGE OF THE FLOOR

14. ADJOURNMENT

TIME: \_\_\_\_\_

**Notice for Hearing and Sight Impaired Persons**

**Auxiliary Aid Or Other Services Are Available Upon Request At No Charge.**

**Please Give Reasonable Advance Request When Possible.**

*In the interest of providing greater public access and to promote greater transparency, the South Bend Common Council agenda has been translated into Spanish. All agendas are available online from the Council's website, and also in paper format in the Office of the City Clerk, 4<sup>th</sup> Floor County-City Building. Reasonable efforts have been taken to provide an accurate translation of the text of the agenda, however, the official text is the English version. Any discrepancies which may be created in the translation, are not binding. Such translations do not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the Common Council or the City of South Bend, Indiana.*



## OFFICE OF THE CITY CLERK

KAREEMAH FOWLER, CITY CLERK

### MEMORANDUM

**TO:** MEMBERS OF THE COMMON COUNCIL  
**FROM:** KAREEMAH FOWLER, CITY CLERK  
**DATE:** JULY 7, 2016  
**SUBJECT:** COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **MONDAY, JULY 11, 2016** at:

Council Informal Meeting Room  
4<sup>th</sup> Floor County-City Building  
227 W. Jefferson Blvd.  
South Bend, IN 46601

**4:15 P.M.**      **PERSONNEL & FINANCE**      **KAREN L. WHITE, CHAIRPERSON**  
1. [Bill No. 32-16-](#) June Enterprise Funds  
2. [Bill No. 33-16-](#) June Transfer Funds  
3. [Bill No. 34-16-](#) June Civil City Funds

**4:30 P.M.**      **COMMUNITY INVESTMENT**      **GAVIN FERLIC, CHAIRPERSON**  
1. Dept. of Community Investment Briefing- Brian Pawlowski, Acting Exec. Dir.

Council President Tim Scott has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Community Investment Committee.

**INFORMAL MEETING OF THE COMMON COUNCIL**      **TIM SCOTT, COUNCIL PRESIDENT**  
1. Discussion of Council Agenda  
2. Update and Announcements  
3. Adjournment

cc: Mayor Pete Buttigieg  
Committee Meeting List  
News Media

**NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS**  
**Auxiliary Aid or Other Services may be Available upon Request at No Charge.**  
**Please give Reasonable Advance Request when Possible**

455 County-City Building • 227 W. Jefferson Boulevard • South Bend, Indiana 46601  
Phone 574-235-9221 • Fax 574-235-9173 • TDD 574-235-5567 • [www.SouthBendIN.gov](http://www.SouthBendIN.gov)

JENNIFER M. COFFMAN  
CHIEF DEPUTY  
CHIEF OF STAFF

ALKEYNA M. ALDRIDGE  
DEPUTY CLERK  
DIRECTOR OF POLICY

EMILY SEXTON  
ORDINANCE VIOLATION CLERK



## 2016 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-6-16)

### COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real & personal tax abatement requests.

Gavin Ferlic, Chairperson	Oliver Davis, Member
Regina Williams-Preston, Vice-Chairperson	Randy Kelly, Member

### COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Office of Community Affairs and is charged with facilitating partnerships & ongoing communications with other public and private entities operating within the City.

Regina Williams-Preston, Chairperson	Gavin Ferlic, Member
Randy Kelly, Vice-Chairperson	Karen White, Member

### COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Tim Scott, Member	Dr. David Varner, Member
Jo Broden, Member	Karen White

### HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

John Voorde, Chairperson	Oliver Davis, Member
Karen L. White, Vice-Chairperson	Jo Broden, Member

### INFORMATION AND TECHNOLOGY COMMITTEE

Oversees the various activities of the City's Division of Information Technologies in the Department of Administration & Finance so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability & access to GIS data and related technologies are just some of its many activities.

Tim Scott, Chairperson	Dave Varner, Member
Gavin Ferlic, Vice-Chairperson	Karen White, Member

### PARC COMMITTEE (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Coveleski Regional Stadium, Morris Performing Arts Center, Stuebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, and the many recreational and leisure activities offered by the Department of Parks and Recreation.

Randy Kelly, Chairperson	Oliver Davis, Member
Dr. Dave Varner, Vice-Chairperson	John Voorde, Member



## **2016 COMMON COUNCIL STANDING COMMITTEES** (Rev. 01-6-16)

### **PERSONNEL AND FINANCE COMMITTEE**

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations & other fiscal matters, as well as personnel policies, health benefits & related matters.

Karen L. White, Chairperson  
Gavin Ferlic, Vice-Chairperson

Regina Williams-Preston, Member  
John Voorde, Member

### **PUBLIC WORKS AND PROPERTY VACATION COMMITTEE**

Oversees the various activities performed by the Building Department, the Department of Public Works & related public works & property vacation issues.

Jo Broden, Chairperson  
John Voorde, Vice-Chairperson

Randy Kelly, Member  
Gavin Ferlic, Member

### **RESIDENTIAL NEIGHBORHOODS COMMITTEE**

Oversees the various activities & issues related to neighborhood development & enhancement.

Karen White, Chairperson  
Jo Broden, Vice-Chairperson

Regina Williams-Preston, Member  
John Voorde, Member

### **UTILITIES COMMITTEE**

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers and all related matters.

Dr. David Varner, Chairperson  
Oliver Davis, Vice-Chairperson

Randy Kelly, Member  
Regina Williams-Preston, Member

### **ZONING AND ANNEXATION COMMITTEE**

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Oliver Davis, Chairperson  
John Voorde, Vice-Chairperson

Gavin Ferlic, Member  
Jo Broden, Member

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### **SUB-COMMITTEE ON MINUTES**

Reviews the minutes prepared by the Office of the City Clerk of the regular, special and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council

Tim Scott  
Dr. David Varner



## 2016 COMMON COUNCIL STANDING COMMITTEES (Rev.01-6-16)

### **TIM SCOTT, 1<sup>ST</sup> District Council Member**

#### **PRESIDENT**

Information and Technology, Chairperson

Council Rules Committee, Member  
Sub-Committee on Minutes, Member

### **REGINA WILLIAMS-PRESTON 2<sup>nd</sup> District Council Member**

Community Relations Committee, Chairperson  
Community Investment Committee, Vice-Chairperson

Residential Neighborhood Committee, Member  
Personnel & Finance Committee, Member  
Utilities Committee, Member

### **RANDY KELLY, 3<sup>rd</sup> District Council Member**

#### **PARC Committee, Chairperson**

Community Relations Committee, Vice Chairperson

Community Investment Committee, Member  
Public Works & Property Vacation, Member  
Utilities Committee, Member

### **JO BRODEN, 4<sup>TH</sup> District Council Member**

#### **Public Works & Property Vacation, Chairperson**

Residential Neighborhood Committee, Vice-Chairperson

Council Rules Committee, Member  
Health & Public Safety Committee, Member  
Zoning & Annexation Committee, Member

### **DR. DAVID VARNER, 5<sup>TH</sup> District Council Member**

#### **Utilities Committee, Chairperson**

PARC Committee, Vice-Chairperson

Information & Technology Committee, Member  
Council Rules Committee, Member  
Sub-Committee on Minutes, Member

### **OLIVER DAVIS, 6<sup>TH</sup> District Council Member**

#### **Zoning & Annexation Committee, Chairperson**

Utilities Committee, Vice-Chairperson

Community Investment Committee, Member  
Health & Public Safety Committee, Member  
PARC Committee, Member

### **GAVIN FERLIC, AT LARGE Council Member**

#### **Chairperson, Committee of the Whole**

#### **Community Investment Committee, Chairperson**

Information & Technology Committee, Vice-Chairperson  
Personnel & Finance Committee, Vice-Chairperson

Community Relations Committee, Member  
Public Works & Property Vacation, Member  
Zoning & Annexation Committee, Member

### **KAREN L. WHITE, AT LARGE Council Member**

#### **Residential Neighborhood Committee, Chairperson**

#### **Personnel & Finance Committee, Chairperson**

Health & Public Safety Committee, Vice-Chairperson

Community Relations Committee, Member  
Information & Technology Committee, Member  
Council Rules Committee, Member

### **JOHN VOORDE, AT LARGE Council Member**

#### **Health & Public Safety Committee, Chairperson**

Public Works & Property Vacation, Vice-Chairperson  
Zoning & Annexation Committee, Vice-Chairperson

Residential Neighborhood Committee, Member  
PARC Committee, Member  
Personnel & Finance Committee, Member





RESOLUTION NO. \_\_\_\_\_



**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PROUDLY & PUBLICLY HONORING AND COMMENDING MAESTRO TSUNG YEH FOR HIS EXEMPLARY AND EXCEPTIONAL MUSICAL TALENTS AND LEADERSHIP FOR 28 SEASONS AS MUSIC DIRECTOR OF THE SOUTH BEND SYMPHONY**

*Whereas*, the South Bend Common Council notes that 28 years ago, one of five finalists was selected to take the podium to lead the South Bend Symphony Orchestra, with a most talented Maestro having been chosen, who has truly captured the hearts, minds and soul of South Bend – Maestro Tsung Yeh; and

*Whereas*, Tsung Yeh was born in Shanghai, China, on May 17, 1950, to his mother who was a vocal professor at the Shanghai Conservatory of Music and to his father, who became a professor at the Shanghai Institute of Foreign Trade, who together had the foresight and vision to send young Tsung for piano lessons beginning at the age of five; and

*Whereas*, despite experiencing many challenges during the Cultural Revolution which especially affected his parents, Tsung “practiced in secret behind thick, soundproof curtains” of his teacher’s home. He graduated from Shanghai Conservatory of Music in 1972, and was sent to sometimes difficult locations during this period of time, later becoming a pianist in 1977 touring Thailand and Singapore; & returning in 1979 to the Shanghai Conservatory of Music to study conducting. In 1983, he was the Mannes College of Music in New York, first foreign-born valedictorian, thereafter earning a scholarship to Yale University’s postgraduate music program; and

*Whereas*, Maestro Tsung Yeh catapulted into his brilliant and extraordinary career as an orchestra conductor, with some of his many outstanding accomplishments including his passion to develop musical talents of youth; conducting the St. Louis Symphony Orchestra, Tampa’s Florida Orchestra, Albany, New York’s Symphony Orchestra, Chicago Symphony Orchestra; the San Francisco Symphony Orchestra, Northwest Indiana Symphony Orchestra, & became the 1<sup>st</sup> conductor to ever hold music directorships in both a western symphony orchestra & a Chinese instrument orchestra by leading the South Bend Symphony and the Singapore Chinese Orchestra; and

*Whereas*, Maestro Tsung Yeh has regularly conducted workshops throughout Europe and Asia, and has been in constant demand as a guest conductor of orchestra in France, Poland, Russia, the Czech Republic, China, Hong Kong, and Taiwan, while developing a stellar and exemplary reputation throughout the United States, where he focuses his energies on “building platforms to nourish young people’s hearts and talents” for generations to come.

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. The South Bend Common Council proudly recognizes the **Masestro Tsung Yeh** on brilliantly building the South Bend Symphony Orchestra into “one of the finest regional orchestras in the central United States”, and for leading it to win under his baton, the ASCAP award for Excellence in Programming & Performing.

Section II. The Common Council publicly wishes **Masestro Tsung Yeh**, his wife, Sau Lan, and their children Mona, Melina and Joseph, all the very best in the years ahead. You have truly enriched our community. **BRAVO!**

Section III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Tim Scott, 1<sup>st</sup> District Council Member

\_\_\_\_\_  
Oliver J. Davis, 6<sup>th</sup> District Council Member

\_\_\_\_\_  
Regina Williams Preston., 2<sup>nd</sup> District

\_\_\_\_\_  
John Voorde, At Large Council Member

\_\_\_\_\_  
Randy Kelly, 3<sup>rd</sup> District Council Member

\_\_\_\_\_  
Gavin Ferlic, At Large Council Member

\_\_\_\_\_  
Jo Broden, 4<sup>th</sup> District Council Member

\_\_\_\_\_  
Karen L. White, At Large Council Member

\_\_\_\_\_  
Dr. David Varner, 5<sup>th</sup> District

\_\_\_\_\_  
Kathleen Cekanski Farrand, Council Attorney

*Attests:*

*Approved this \_\_\_ day of July, 2016.*

\_\_\_\_\_  
Kareemah Fowler, City Clerk

\_\_\_\_\_  
Pete Buttigieg, Mayor of South Bend, Indiana



1200N COUNTY-CITY BUILDING  
227 W. JEFFERSON BLVD.  
SOUTH BEND, INDIANA 46601-1830



Bill No. 32-16

PHONE 574/ 235-7678  
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR

## DEPARTMENT OF ADMINISTRATION AND FINANCE

June 20, 2016

Mr. Tim Scott, President  
City of South Bend Common Council  
227 W. Jefferson Boulevard, 4<sup>th</sup> Floor  
South Bend, Indiana 46601

RE: June 2016 Appropriation Ordinance – Enterprise Funds

Dear President Scott,

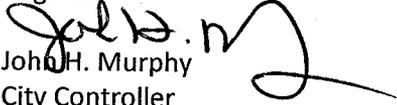
During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2016, we plan to propose adjustments during four time periods—March, June, September and December.

Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

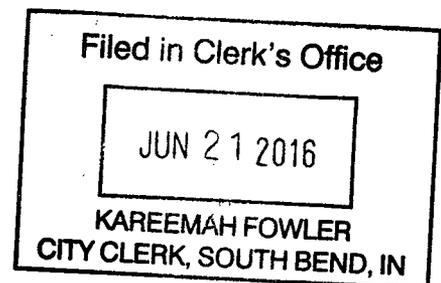
I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1<sup>st</sup> reading on June 27, 2016 with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading scheduled for July 11, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

  
John H. Murphy  
City Controller

CC: Pete Buttigieg, Mayor  
James Mueller, Chief of Staff  
Cristal Brisco, Corporation Counsel  
Aladean DeRose, City Attorney  
Jennifer Hockenhill, Deputy City Controller



OK  
AD

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2016 OF \$385,775 FROM EMS CAPITAL FUND (#287), \$150,000 FROM SOLID WASTE FUND (#610), AND \$60,601 2011 SEWER BOND FUND (#659).

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STATEMENT OF PURPOSE AND INTENT

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The Common Council passed the City’s 2016 operating and capital budgets in 2015 (Ordinances #10389-15 passed on October 12, 2015), which included expenditures for various City enterprise operations. It is now necessary to appropriate additional funds for operational expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2016 and set apart within the following designated funds for operational expenses as follows:

<u>Fund</u>	<u>Amount</u>
EMS Capital Fund (#287)	\$385,775
Solid Waste Fund (#610)	150,000
2011 Sewer Bond Fund (#659)	<u>60,601</u>
<b>TOTAL</b>	<b><u>\$596,376</u></b>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

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Member of the Common Council

Attest:

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City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

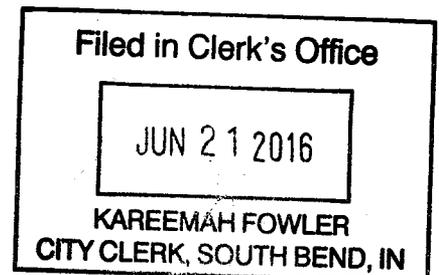
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Deputy City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at  
\_\_\_\_\_ o'clock \_\_\_\_ . m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1<sup>st</sup> READING  
PUBLIC HEARING  
3<sup>rd</sup> READING  
NOT APPROVED  
REFERRED  
PASSED







CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR  
**DEPARTMENT OF ADMINISTRATION AND FINANCE**

June 20, 2016

Mr. Tim Scott, President  
City of South Bend Common Council  
227 W. Jefferson Boulevard, 4<sup>th</sup> Floor  
South Bend, Indiana 46601

RE: June 2016 Transfer Ordinance

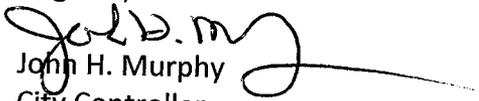
Dear President Scott,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2016, we plan to propose adjustments during four time periods—March, June, September and December.

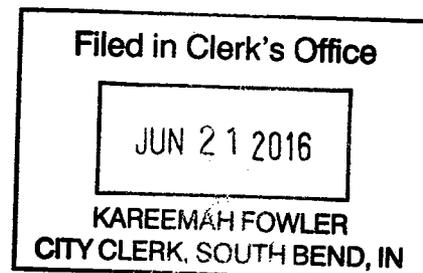
I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1<sup>st</sup> reading on June 27, 2016 with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading scheduled for July 11, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

  
John H. Murphy  
City Controller

CC: Pete Buttigieg, Mayor  
James Mueller, Chief of Staff  
Cristal Brisco, Corporation Counsel  
Aladean DeRose, City Attorney  
Jennifer Hockenull, Deputy City Controller



*OK*  
*9/10*

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2016

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing budgets (Ordinances #10388-15 and 10389-15 passed on October 12, 2015) which necessitate the increase and reduction of appropriations within the various departments of the General Fund and other funds of the City of South Bend during 2016.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. All accounts as set forth in the detailed attachment hereto which are incorporated herein shall be adjusted by increase or reduction of appropriation in the designated sums.

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

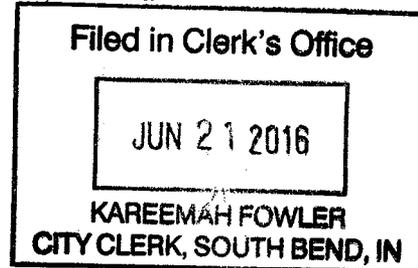
Presented by me to the Mayor of the City of South Bend, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Deputy City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
PASSED



**City of South Bend, Indiana  
June 2016 Budget Transfers  
(budget transfers between expenditure categories or departments within the same fund)  
June 27, 2016**

Fund Name	Department Name	Account Name	Fiscal Officer/Contact Name	Account Number	Project Number	Budget Increase/Decrease	Justification
Central Services Capital	Central Services	Materials & Equipment	Mary Wisniewski	224-0605-419-43-10		(22,801)	Budgeted capital money for (2) hoists and (1) Pressure Washer - quotes came in under capital threshold; moving money to correct expense account.
Central Services Capital	Central Services	Small Tools & Equipment	Mary Wisniewski	224-0605-419-23-20		22,800	Budgeted capital money for (2) hoists and (1) Pressure Washer - quotes came in under capital threshold; moving money to correct expense account.
Central Services Capital	Central Services	Capital Improvements - ESF Building	Mary Wisniewski	224-0605-419-42-10		0	Account over budget by \$0.45
EDIT	Community Investment	Misc. Charges & Services	Elizabeth Leonard-Inks	408-1050-460-39-89		(850)	Move unspent funds to pay for seal for the Morris Fountain
EDIT	Community Investment	R&M Supplies: Salt/Ice Melt	Elizabeth Leonard-Inks	408-1050-460-23-40		0	Move unspent funds to pay for seal for the Morris Fountain
Central Services	Office of Sustainability	Other Professional Services	Cecil Eastman	222-0616-419-31-06		30,000	Move unspent salary funds due to position vacancy to cover cost of consultants for Bikes Sharing Program
Central Services	Office of Sustainability	Salaries - Regular	Cecil Eastman	222-0616-419-10-01		(30,000)	Move unspent salary funds due to position vacancy to cover cost of consultants for Bikes Sharing Program
COIT	Engineering	Other Professional Services	Cecil Eastman	404-0602-431-31-06		102,619	To establish a budget for installation portion of the lamp post program, reclassification from a supplies account
COIT	Engineering	Outside Printing	Cecil Eastman	404-0602-431-33-01		500	Legal ads for lamp post program
COIT	Engineering	Signal/Lights	Cecil Eastman	404-0602-431-22-40		(103,119)	To establish a budget for installation portion of the lamp post program, reclassify to a services account
EDIT	Community Investment	Interfund Transfers	Elizabeth Leonard-Inks	408-0401-415-50-02		(160,000)	To fund Workforce Development programming to enable South Bend residents to be ready for jobs as they become available - funding with transfer from EDIT to DCI - transfer will be reduced for 3rd quarter.
EDIT	Community Investment	Other Professional Services	Elizabeth Leonard-Inks	408-1001-460-31-06		160,000	To fund Workforce Development programming to enable South Bend residents to be ready for jobs as they become available - funding with transfer from EDIT to DCI - transfer will be reduced for 3rd quarter.
DCI	Community Investment	Regular Salaries	Elizabeth Leonard-Inks	211-1001-460-10-01		0	DCI Operating Fund 211 has spent less than its entire budget in prior years resulting in a cash balance of \$1.3 million dollars in the fund at June 17, 2016.
DCI	Community Investment	Other Professional Services	Elizabeth Leonard-Inks	211-1001-460-31-06		(48,100)	Use unspent salary funds to cover cost of items below
DCI	Community Investment	Miscellaneous	Elizabeth Leonard-Inks	211-1001-460-39-89		36,100	Contract for NFP Accounting and Additional services needed during department transition
				Grand Total		0	Use unspent salary funds to cover cost of repayment of 2010 grant proceeds. Requirements different from what we were led to believe - settlement developed between City and DOL attorneys.

**Filed in Clerk's Office**  
  
JUN 21 2016  
  
**KAREEMAH FOWLER**  
**CITY CLERK, SOUTH BEND, IN**



1200N COUNTY-CITY BUILDING  
227 W. JEFFERSON BLVD.  
SOUTH BEND, INDIANA 46601-1830



Bill No. 34-16

PHONE 574/ 235-7678  
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR  
**DEPARTMENT OF ADMINISTRATION AND FINANCE**

June 20, 2016

Mr. Tim Scott, President  
City of South Bend Common Council  
227 W. Jefferson Boulevard, 4<sup>th</sup> Floor  
South Bend, Indiana 46601

RE: June 2016 Appropriation Ordinance – Civil City Funds

Dear President Scott,

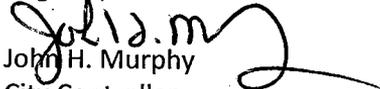
During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2016, we plan to propose adjustments during four time periods—March, June, September and December.

Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

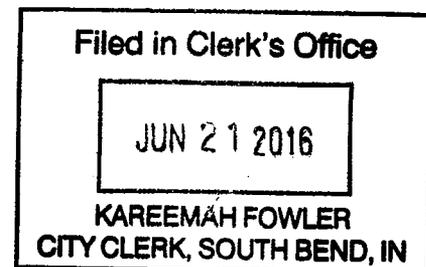
I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1<sup>st</sup> reading on June 27, 2016 with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading scheduled for July 11, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

  
John H. Murphy  
City Controller

CC: Pete Buttigieg, Mayor  
James Mueller, Chief of Staff  
Cristal Brisco, Corporation Counsel  
Aladean DeRose, City Attorney  
Jennifer Hockenhull, Deputy City Controller



*OK  
PMD*

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2016 OF \$500 FROM DCI FUND (#212), \$850,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$114,762 FROM PARKS NONREVERTING CAPITAL FUND (#405), \$114,762 FROM PARKS FUND (#201), AND \$63,555 FROM MAJOR MOVES FUND (#412).

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 STATEMENT OF PURPOSE AND INTENT
 

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The Common Council passed the City's 2016 operating and capital budgets in 2015 (Ordinances #10388-15 passed on October 12, 2015) which included expenditures for various City operations. It is now necessary to appropriate additional funds for operational and capital expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2016 and set apart within the following designated funds for expenditures as follows:

<u>Fund</u>	<u>Amount</u>
DCI Fund (#212)	\$ 500
LOIT 2016 Special Distribution Fund (#257)	850,000
Parks Nonreverting Capital Fund (#405)	114,762
Parks Fund (#201)	114,762
Major Moves Fund (#412)	63,555
<b>TOTAL</b>	<b><u>\$1,143,579</u></b>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

---

 Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

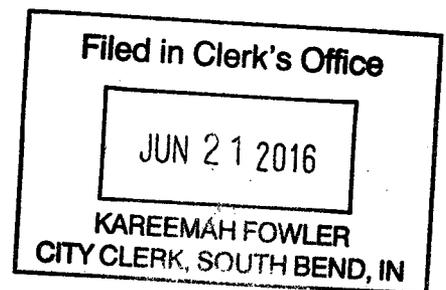
Presented by me to the Mayor of the City of South Bend, Indiana, on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Deputy City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at  
\_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
PASSED



**City of South Bend, Indiana**  
**June 2016 Additional Appropriation Requests - Civil City Funds**  
**(increase or decrease in total fund expenditures)**  
**June 27, 2016**

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
DCI	Administration	Interfund Transfers	Elizabeth Leonard-Inks	212-1001-460-50-02		500	Transfer Petty Cash funds to Fund 211 DCI Operating from Fund 212 DCI Grants.
LOIT 2016 Special Distribution	Public Works	Capital Improvements - Major Projects	Cecil Eastman	257-0608-431-42-96		850,000	For Corby/Ironwood Roundabout (\$450,000); Safe Routes to School (\$400,000) On May 10, 2016, the City received a special distribution of \$4,217,549 that was required to be deposited into new Fund 257 - LOIT Special Distribution and used for road funding. This one-time distribution was made to all eligible local governments per State Enrolled Act No. 67.
Parks Nonreverting Capital	Maintenance	Park Equipment	Ron O'Connor	405-1101-452-43-07		23,373	To spend funds collected in 2015 dedicated to Nonreverting capital accounts (ice rink, east race, picnic area)
Parks Nonreverting Capital	Golf	Park Equipment	Ron O'Connor	405-1103-452-43-07		11,327	To spend funds collected in 2015 dedicated to Nonreverting capital accounts (golf)
Parks Nonreverting Capital	Recreation	Park Equipment	Ron O'Connor	405-1102-452-43-07		80,062	To spend funds collected in 2015 dedicated to Nonreverting capital accounts (recreation)
						114,762	
Parks Fund	Maintenance	Transfer Out	Ron O'Connor	201-1101-452-50-02		23,373	Transfer of funds collected in 2015 dedicated to Nonreverting capital accounts (ice rink, east race, picnic area)
Parks Fund	Golf	Transfer Out	Ron O'Connor	201-1103-452-50-02		11,327	Transfer of funds collected in 2015 dedicated to Nonreverting capital accounts (golf)
Parks Fund	Recreation	Transfer Out	Ron O'Connor	201-1102-452-50-02		80,062	Transfer of funds collected in 2015 dedicated to Nonreverting capital accounts (recreation)
						114,762	
Major Moves	Engineering	Capital Improvements - Streets & Alleys	Cecil Eastman	412-0602-431-42-03		63,555	Reimbursed expense through Smart Streets Bond on April 15, 2016. It was not intended that Major Moves would pay this invoice.
				Grand Total		1,143,579	

**Filed in Clerk's Office**

JUN 21 2016

**KAREEMAH FOWLER**  
**CITY CLERK, SOUTH BEND, IN**



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI  
EXECUTIVE DIRECTOR

Angela M. Smith  
Deputy Director

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227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

July 6, 2016

South Bend Common Council  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601

RE: 22575 Block U.S. 20 West, 22875 Block U.S.20 West, 22965 U.S. 20 West, 24632 U.S. 20 West, 24650 U.S. 20 West, 24700 U.S 20 West, and 54270 Pine Road

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your July 11, 2016 Council meeting, and set it for public hearing at your August 22, 2016 Council meeting. The petition is tentatively scheduled for public hearing at the August 16, 2016 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink that reads "Keith Chapman". The signature is written in a cursive, flowing style.

Planner

CC: Kathy Cekanski-Farrand

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SERVING ST. JOSEPH COUNTY, SOUTH BEND, LAKEVILLE, NEW CARLISLE, NORTH LIBERTY, OSCEOLA & ROSELAND

WWW.STJOSEPHCOUNTYINDIANA.COM/AREAPLAN

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN CENTRE TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 22575 BLOCK U.S. 20 WEST, 22875 BLOCK U.S.20 WEST, 22965 U.S. 20 WEST, 24632 U.S. 20 WEST, 24650 U.S. 20 WEST, 24700 U.S 20 WEST, AND 54270 PINE ROAD, SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

PETITIONER SEEKING TO ANNEX AND REZONE PROPERTY FOR FUTURE INDUSTRIAL USES.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. That the following described real estate situated in St. Joseph County, Indiana, being contiguous by more than one-eighth (1/8) of its aggregate external boundaries with the present boundaries of the City of South Bend, Indiana, shall be and hereby is annexed to and brought within the City of South Bend:

PART OF THE SOUTHWEST QUARTER OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°06'11" WEST ALONG THE WEST LINE OF SAID SECTION, 1089.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°42'25" EAST, 588.56 FEET (REC. NORTH 90°00'00" EAST, 588.77 FEET) THENCE NORTH 00°24'48" EAST, 355.17 FEET (REC. NORTH 00°00'00" EAST, 357.32 FEET) TO THE SOUTHWEST CORNER OF LOT 1 OF THE RECORDED PLAT OF KELLER AND HALL MINOR SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY INDIANA; THENCE SOUTH 89°58'26" EAST ALONG THE SOUTH LINE OF SAID LOT 1, 553.41 FEET (REC. SOUTH 89°47'33 EAST, 553.56 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01°42'52" WEST, 457.16 FEET TO THE NORTHWEST CORNER OF LOT 2A OF THE RECORDED PLAT OF CASCINO MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 9125343; THENCE ALONG SAID LOT 2A FOR THE NEXT FOUR (4) COURSES, NORTH 89°26'08" EAST, 353.28 FEET (REC. NORTH 89°27'57" EAST, 351.36 FEET), AND NORTH 02°09'38" WEST, 129.92 FEET (REC. NORTH 02°07'49" WEST, 129.92 FEET), AND NORTH 54°49'19" WEST, 313.42

FEET (REC. NORTH 54°47'30" WEST, 313.42 FEET), AND NORTH 28°33'11" EAST, 240 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE SOUTH 55°25'02" EAST, 794.34 FEET ALONG SAID NORTH LINE, 507 FEET MORE OR LESS TO THE PRESENT CITY OF SOUTH BEND CORPORATE LIMIT LINE; THENCE SOUTH 28°33'11" WEST, 180 FEET ALONG SAID LINE TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE ALONG SAID SOUTH LINE, SOUTH 55°25'02" EAST, 300 FEET MORE OR LESS TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE U.S. 20 BY-PASS (A.K.A. ST. JOSEPH VALLEY PARKWAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT EIGHT (8) COURSES; SOUTH 38°08'20" EAST, 139.58 FEET, AND SOUTH 28°56'12" EAST, 935.25 FEET, AND SOUTH 01°44'02" EAST, 55.85 FEET (REC. SOUTH 00°00'00" EAST, 48.00 FEET) TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST QUARTER OF SAID SECTION 31, AND SOUTH 89°53'51" EAST ALONG SAID NORTH LINE, 14.92 FEET, AND NORTH 01°36'33" WEST, 14.68 FEET, AND SOUTH 29°41'47" EAST, 653.16 FEET (REC. SOUTH 33°00'50" EAST, 675.32 FEET) AND SOUTH 09°41'15" EAST, 409.58 FEET (REC. SOUTH 08°47'10" EAST, 409.58 FEET), AND SOUTH 04°05'20" EAST, 376.16 FEET (REC. SOUTH 03°11'15" EAST, 376.16 FEET) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 31; THENCE NORTH 89°46'55" WEST, 381.54 FEET (REC. NORTH 89°46'55" WEST, 427.96 FEET TO THE CENTER OF SAID SECTION AS MONUMENTED, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 OF THE RECORDED PLAT OF R.M. LYNCH MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 8800527 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 01°36'33" WEST ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 31, AND THE EAST LINE OF SAID LOT 3, 949.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°49'54" WEST ALONG THE NORTH LINE OF SAID LOT 3, AND ITS WESTERLY EXTENTION, 2535.42 FEET (REC. NORTH 89°56'27" WEST) TO THE WEST RIGHT-OF-WAY LINE OF PINE ROAD; THENCE NORTH 00°06'11" EAST, ALONG SAID WEST LINE, 616.06 FEET; NORTH 89°42'25" EAST, 30 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 71.31 ACRES MORE OR LESS.

SUBJECT TO LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

SECTION II. That the boundaries of the City of South Bend, Indiana, shall be and are hereby declared to be extended so as to include the real estate of the above described parcel as part of the City of South Bend, Indiana.

SECTION III. Ordinance No. 9495-04, as amended which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the above described real estate, with the exception of all adjacent right-of-ways, in the City of South Bend, St. Joseph County, Indiana be and the same is hereby established as LI LIGHT INDUSTRIAL DISTRICT, provided, however, that the required established, and stated procedures for review of such zoning classification by the Area Plan Commission have been fully satisfied.

SECTION IV. This Ordinance shall be in full force and effect 30 days from and after its passage by the Common Council, approval by the Mayor, and legal publication.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

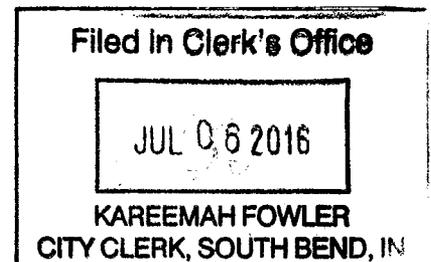
Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1<sup>st</sup> READING  
PUBLIC HEARING  
3<sup>rd</sup> READING  
NOT APPROVED  
REFERRED  
PASSED



PETITION FOR ANNEXATION AND ZONE MAP AMENDMENT  
*City of South Bend, Indiana*

I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.

- 1) The property sought to be rezoned is located at:  
*22575 Block U.S. 20 West, 22875 Block U.S. 20 West, 22965 U.S. 20 West, 24632 U.S. 20 West, 24650 U.S. 20 West, 24700 U.S. 20 West, 54270 Pine Road all South Bend, Indiana 46628.*
- 2) The property Tax Key Number(s) is/are: *004-1021-036004, 004-1021-035302, 004-1021-035303, 004-1021-035202, 004-1021-035201, 004-1021-035301, 004-1021-035110*
- 3) Legal Description(s) Please note, if the public right-of-way adjacent to the parcel is not already within City limit, the legal description MUST include the right-of-way: *See Attached legal for annexation*
- 4) Total Site Area (excluding right-of-way): *68.08 total acres to be rezoned*
- 5) Name and address of property owner(s) of the petition site:  
*Name: St. Joseph County Airport Authority, Attn: Kerianne Kirby  
Address: 4477 Progress Drive  
South Bend, Indiana 46628  
Phone number with Area Code: 574-282-4590 ext. 221  
E-Mail Address: klinn@sbnair.com*

Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:  
*Name N/A  
Address  
City, State Zip Code  
Phone number with Area Code  
E-Mail Address*

Name and address of additional property owners, if applicable:

- 7) It is desired and requested that this property be rezoned:

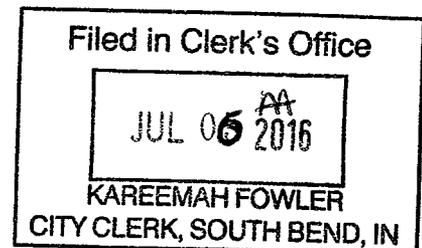
From: A: Agricultural District (County) & M: Manufacturing District (County)

To: LI Light Industrial District

- 8) This rezoning is requested to allow the following use(s): *Future Industrial use(s)*

IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

- 1) *List each variance being requested. Contact Commission Staff if you need assistance.*
- 2) A statement on how each of the following standards for the granting of variances is met:
  - (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *Insert text*
  - (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *Insert text*



- (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *Insert text*

IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *Insert text*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
  - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *Insert text*
  - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *Insert text*
  - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *Insert text*
  - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan. *Insert text*

\* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

Name: *Danch, Harner & Associates, Inc. Attn: Michael Danch*  
Address: *1643 Commerce Drive*  
City, State Zip Code: *South Bend, Indiana 46628*  
Phone number with Area Code: *574-234-4003*  
E-Mail Address: *mdanch@danchharner.com*

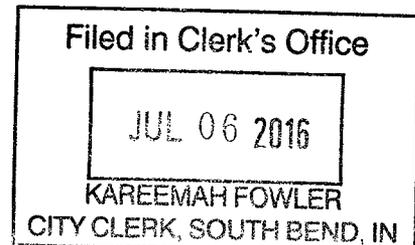
**BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.**

Signature(s) of all property owner(s):

*73/2 21*  
*Director of Admin / Fin.*  
*South Bend International*  
*St. Joseph County Airport Authority*

ANNEXATION LEGAL DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°06'11" WEST ALONG THE WEST LINE OF SAID SECTION, 1089.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°42'25" EAST, 588.56 FEET (REC. NORTH 90°00'00" EAST, 588.77 FEET) THENCE NORTH 00°24'48" EAST, 355.17 FEET (REC. NORTH 00°00'00" EAST, 357.32 FEET) TO THE SOUTHWEST CORNER OF LOT 1 OF THE RECORDED PLAT OF KELLER AND HALL MINOR SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY INDIANA; THENCE SOUTH 89°58'26" EAST ALONG THE SOUTH LINE OF SAID LOT 1, 553.41 FEET (REC. SOUTH 89°47'33" EAST, 553.56 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01°42'52" WEST, 457.16 FEET TO THE NORTHWEST CORNER OF LOT 2A OF THE RECORDED PLAT OF CASCINO MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 9125343; THENCE ALONG SAID LOT 2A FOR THE NEXT FOUR (4) COURSES, NORTH 89°26'08" EAST, 353.28 FEET (REC. NORTH 89°27'57" EAST, 351.36 FEET), AND NORTH 02°09'38" WEST, 129.92 FEET (REC. NORTH 02°07'49" WEST, 129.92 FEET), AND NORTH 54°49'19" WEST, 313.42 FEET (REC. NORTH 54°47'30" WEST, 313.42 FEET), AND NORTH 28°33'11" EAST, 240 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE SOUTH 55°25'02" EAST, 794.34 FEET ALONG SAID NORTH LINE, 507 FEET MORE OR LESS TO THE PRESENT CITY OF SOUTH BEND CORPORATE LIMIT LINE; THENCE SOUTH 28°33'11" WEST, 180 FEET ALONG SAID LINE TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE ALONG SAID SOUTH LINE, SOUTH 55°25'02" EAST, 300 FEET MORE OR LESS TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE U.S. 20 BY-PASS (A.K.A. ST. JOSEPH VALLEY PARKWAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT EIGHT (8) COURSES; SOUTH 38°08'20" EAST, 139.58 FEET, AND SOUTH 28°56'12" EAST, 935.25 FEET, AND SOUTH 01°44'02" EAST, 55.85 FEET (REC. SOUTH 00°00'00" EAST, 48.00 FEET) TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST QUARTER OF SAID SECTION 31, AND SOUTH 89°53'51" EAST ALONG SAID NORTH LINE, 14.92 FEET, AND NORTH 01°36'33" WEST, 14.68 FEET, AND SOUTH 29°41'47" EAST, 653.16 FEET (REC. SOUTH 33°00'50" EAST, 675.32 FEET) AND SOUTH 09°41'15" EAST, 409.58 FEET (REC. SOUTH 08°47'10" EAST, 409.58 FEET), AND SOUTH 04°05'20" EAST, 376.16 FEET (REC. SOUTH 03°11'15" EAST, 376.16 FEET) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 31; THENCE NORTH 89°46'55" WEST, 381.54 FEET (REC. NORTH 89°46'55" WEST, 427.96 FEET TO THE CENTER OF SAID SECTION AS MONUMENTED, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 OF THE RECORDED PLAT OF R.M. LYNCH MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 8800527 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 01°36'33" WEST ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 31, AND THE EAST LINE OF SAID LOT 3, 949.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°49'54" WEST ALONG THE NORTH LINE OF SAID LOT 3, AND ITS WESTERLY EXTENTION, 2535.42 FEET (REC. NORTH 89°56'27" WEST) TO THE WEST RIGHT-OF-WAY LINE OF PINE ROAD; THENCE NORTH 00°06'11" EAST, ALONG SAID WEST LINE, 616.06 FEET; NORTH 89°42'25" EAST, 30 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 71.31 ACRES MORE OR LESS.  
SUBJECT TO LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

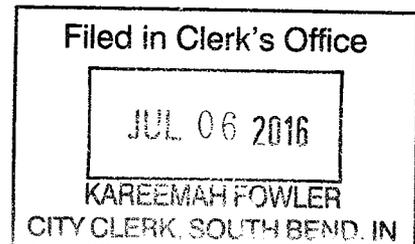


REZONING LEGAL DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°06'11" WEST ALONG THE WEST LINE OF SAID SECTION, 1089.99 FEET AND NORTH 89°42'25" EAST, 30.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°42'25" EAST, 558.56 FEET (REC. NORTH 90°00'00" EAST, 558.77 FEET) THENCE NORTH 00°24'48" EAST, 355.17 FEET (REC. NORTH 00°00'00" EAST, 357.32 FEET) TO THE SOUTHWEST CORNER OF LOT 1 OF THE RECORDED PLAT OF KELLER AND HALL MINOR SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY INDIANA; THENCE SOUTH 89°58'26" EAST ALONG THE SOUTH LINE OF SAID LOT 1, 553.41 FEET (REC. SOUTH 89°47'33" EAST, 553.56 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01°42'52" WEST, 457.16 FEET TO THE NORTHWEST CORNER OF LOT 2A OF THE RECORDED PLAT OF CASCINO MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 9125343; THENCE ALONG SAID LOT 2A FOR THE NEXT FOUR (4) COURSES, NORTH 89°26'08" EAST, 353.28 FEET (REC. NORTH 89°27'57" EAST, 351.36 FEET), AND NORTH 02°09'38" WEST, 129.92 FEET (REC. NORTH 02°07'49" WEST, 129.92 FEET), AND NORTH 54°49'19" WEST, 313.42 FEET (REC. NORTH 54°47'30" WEST, 313.42 FEET), AND NORTH 28°33'11" EAST, 27.89 FEET (REC. NORTH 28°35'00" EAST, 27.88 FEET); THENCE SOUTH 61°26'49" EAST, 20.03 FEET; THENCE NORTH 30°16'55" EAST, 60.00 FEET (REC. NORTH 28°35'00" EAST, 60.00 FEET) TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 55°25'02" EAST, 794.34 FEET (REC. SOUTHEASTERLY, 794.34 FEET) TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE U.S. 20 BY-PASS (A.K.A. ST. JOSEPH VALLEY PARKWAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT EIGHT (8) COURSES; SOUTH 38°08'20" EAST, 139.58 FEET, AND SOUTH 28°56'12" EAST, 935.25 FEET, AND SOUTH 01°44'02" EAST, 55.85 FEET (REC. SOUTH 00°00'00" EAST, 48.00 FEET) TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST QUARTER OF SAID SECTION 31, AND SOUTH 89°53'51" EAST ALONG SAID NORTH LINE, 14.92 FEET, AND NORTH 01°36'33" WEST, 14.68 FEET, AND SOUTH 29°41'47" EAST, 653.16 FEET (REC. SOUTH 33°00'50" EAST, 675.32 FEET) AND SOUTH 09°41'15" EAST, 409.58 FEET (REC. SOUTH 08°47'10" EAST, 409.58 FEET), AND SOUTH 04°05'20" EAST, 376.16 FEET (REC. SOUTH 03°11'15" EAST, 376.16 FEET) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 31; THENCE NORTH 89°46'55" WEST, 381.54 FEET (REC. NORTH 89°46'55" WEST, 427.96 FEET TO THE CENTER OF SAID SECTION AS MONUMENTED, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 OF THE RECORDED PLAT OF R.M. LYNCH MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 8800527 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 01°36'33" WEST ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 31, AND THE EAST LINE OF SAID LOT 3, 949.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°49'54" WEST ALONG THE NORTH LINE OF SAID LOT 3, 2475.42 FEET (REC. NORTH 89°56'27" WEST, 2504.95 FEET) TO THE EAST LINE OF PINE ROAD; THENCE NORTH 00°06'11" EAST, ALONG SAID EAST LINE, 616.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 68.08 ACRES MORE OR LESS.

SUBJECT TO LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

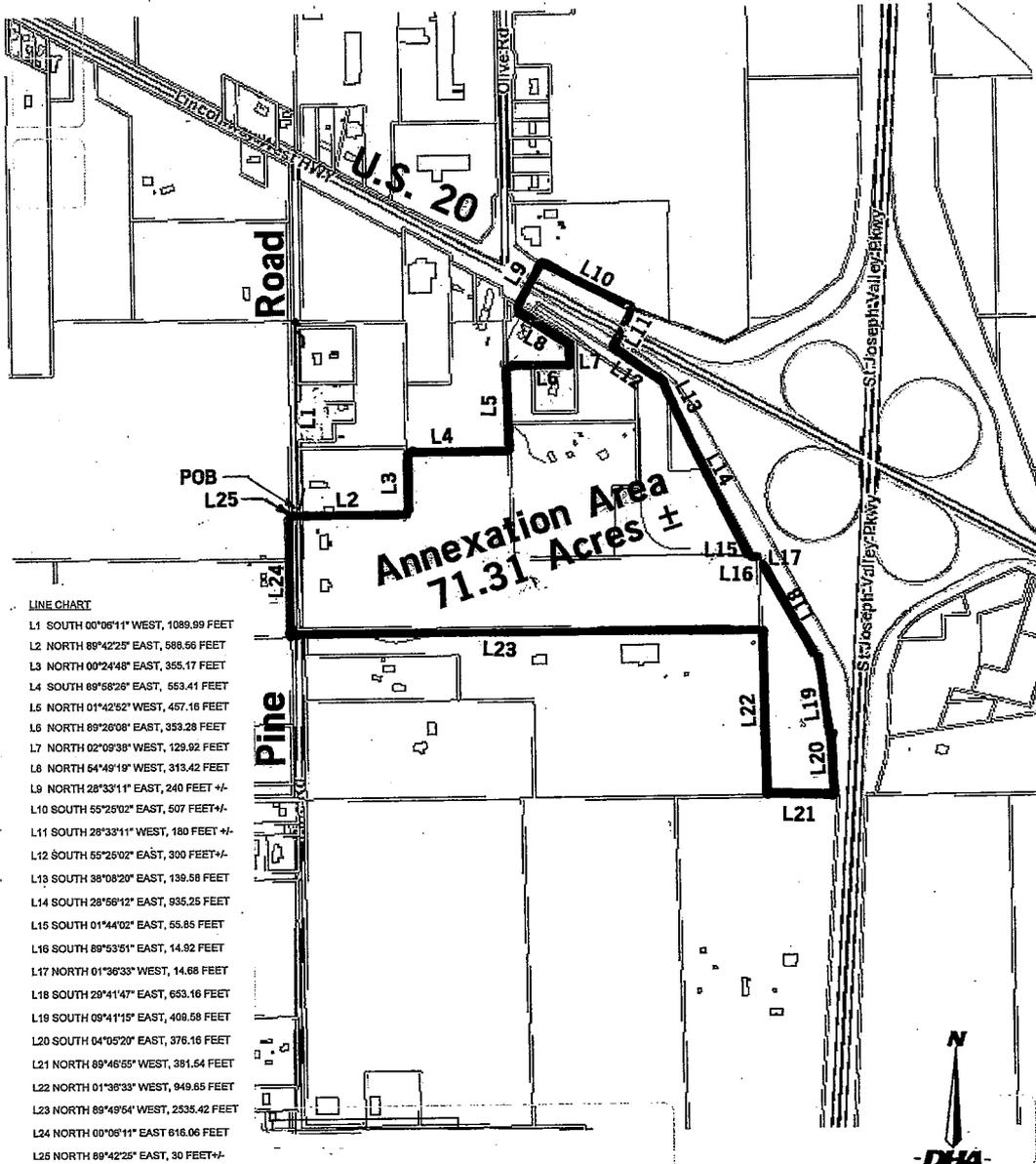


Filed in Clerk's Office

JUL 06 2016

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

# ANNEXATION DIAGRAM



**Annexation Area  
71.31 Acres ±**

**LINE CHART**

- L1 SOUTH 00°06'11" WEST, 1089.89 FEET
- L2 NORTH 89°42'25" EAST, 588.56 FEET
- L3 NORTH 00°24'48" EAST, 355.17 FEET
- L4 SOUTH 89°58'28" EAST, 563.41 FEET
- L5 NORTH 01°42'52" WEST, 457.16 FEET
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- L8 NORTH 54°49'19" WEST, 313.42 FEET
- L9 NORTH 28°33'11" EAST, 240 FEET +/-
- L10 SOUTH 55°29'02" EAST, 507 FEET +/-
- L11 SOUTH 28°33'11" WEST, 180 FEET +/-
- L12 SOUTH 55°29'02" EAST, 300 FEET +/-
- L13 SOUTH 38°08'20" EAST, 139.58 FEET
- L14 SOUTH 28°56'42" EAST, 935.25 FEET
- L15 SOUTH 01°44'02" EAST, 55.85 FEET
- L16 SOUTH 89°53'51" EAST, 14.92 FEET
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- L24 NORTH 00°09'11" EAST 616.06 FEET
- L25 NORTH 89°42'25" EAST, 30 FEET +/-



**Danch, Harner & Associates, Inc.**



Land Surveyors • Professional Engineers  
Landscape Architects • Land Planners

Office: (574)234-4003 / (800)594-4003 • Fax: (574)234-4119  
1643 Commerce Drive • South Bend, IN 46628

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1 / 2

Filed in Clerk's Office

JUL 06 2016

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

ANNEXATION LEGAL DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°06'11" WEST ALONG THE WEST LINE OF SAID SECTION, 1089.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°42'25" EAST, 588.56 FEET (REC. NORTH 90°00'00" EAST, 588.77 FEET) THENCE NORTH 00°24'48" EAST, 355.17 FEET (REC. NORTH 00°00'00" EAST, 357.32 FEET) TO THE SOUTHWEST CORNER OF LOT 1 OF THE RECORDED PLAT OF KELLER AND HALL MINOR SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY INDIANA; THENCE SOUTH 89°58'26" EAST ALONG THE SOUTH LINE OF SAID LOT 1, 553.41 FEET (REC. SOUTH 89°47'33" EAST, 553.56 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01°42'52" WEST, 457.16 FEET TO THE NORTHWEST CORNER OF LOT 2A OF THE RECORDED PLAT OF CASINO MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 9125343; THENCE ALONG SAID LOT 2A FOR THE NEXT FOUR (4) COURSES, NORTH 89°26'08" EAST, 353.28 FEET (REC. NORTH 89°27'57" EAST, 351.36 FEET), AND NORTH 02°09'38" WEST, 129.92 FEET (REC. NORTH 02°07'49" WEST, 129.92 FEET), AND NORTH 54°49'19" WEST, 313.42 FEET (REC. NORTH 54°47'30" WEST, 313.42 FEET), AND NORTH 28°33'11" EAST, 240 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE SOUTH 55°25'02" EAST, 794.34 FEET ALONG SAID NORTH LINE, 507 FEET MORE OR LESS TO THE PRESENT CITY OF SOUTH BEND CORPORATE LIMIT LINE; THENCE SOUTH 28°33'11" WEST, 180 FEET ALONG SAID LINE TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE ALONG SAID SOUTH LINE, SOUTH 55°25'02" EAST, 300 FEET MORE OR LESS TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE U.S. 20 BY-PASS (A.K.A. ST. JOSEPH VALLEY PARKWAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT EIGHT (8) COURSES; SOUTH 38°08'20" EAST, 139.58 FEET, AND SOUTH 28°56'12" EAST, 935.25 FEET, AND SOUTH 01°44'02" EAST, 55.85 FEET (REC. SOUTH 00°00'00" EAST, 48.00 FEET) TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST QUARTER OF SAID SECTION 31, AND SOUTH 89°53'51" EAST ALONG SAID NORTH LINE, 14.92 FEET, AND NORTH 01°36'33" WEST, 14.68 FEET, AND SOUTH 29°41'47" EAST, 653.16 FEET (REC. SOUTH 33°00'50" EAST, 675.32 FEET) AND SOUTH 09°41'15" EAST, 409.58 FEET (REC. SOUTH 08°47'10" EAST, 409.58 FEET), AND SOUTH 04°05'20" EAST, 376.16 FEET (REC. SOUTH 03°11'15" EAST, 376.16 FEET) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 31; THENCE NORTH 89°46'55" WEST, 381.54 FEET (REC. NORTH 89°46'55" WEST, 427.96 FEET TO THE CENTER OF SAID SECTION AS MONUMENTED, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 OF THE RECORDED PLAT OF R.M. LYNCH MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 8800527 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 01°36'33" WEST ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 31, AND THE EAST LINE OF SAID LOT 3, 949.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°49'54" WEST ALONG THE NORTH LINE OF SAID LOT 3, AND ITS WESTERLY EXTENTION, 2535.42 FEET (REC. NORTH 89°56'27" WEST) TO THE WEST RIGHT-OF-WAY LINE OF PINE ROAD; THENCE NORTH 00°06'11" EAST, ALONG SAID WEST LINE, 616.06 FEET; NORTH 89°42'25" EAST, 30 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 71.31 ACRES MORE OR LESS.

SUBJECT TO LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

***Danch, Harner & Associates, Inc.***



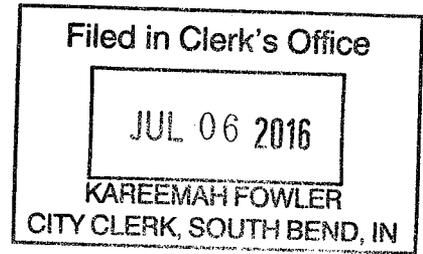
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2

2



LINE CHART

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- L2 NORTH 89°42'25" EAST, 588.56 FEET
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LAWRENCE P. MAGLIOZZI  
EXECUTIVE DIRECTOR

Angela M. Smith  
Deputy Director

AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

July 6, 2016

South Bend Common Council  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601

RE: 202 Bartlett Street

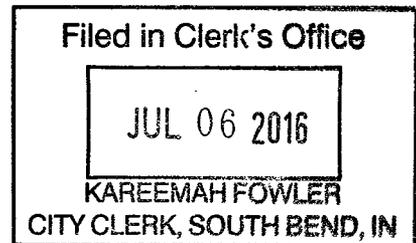
Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your July 11, 2016 Council meeting, and set it for public hearing at your August 22, 2016 Council meeting. The petition is tentatively scheduled for public hearing at the August 16, 2016 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

Planner



CC: Kathy Cekanski-Farrand

SERVING ST. JOSEPH COUNTY, SOUTH BEND, LAKEVILLE, NEW CARLISLE, NORTH LIBERTY, OSCEOLA & ROSELAND

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 202 BARTLETT STREET, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property to allow a tri-plex rental property

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Lot numbered 35 as shown on the recorded plat of Hammond and Whitcomb's addition to the city of South Bend, St. Joseph County, Indiana, excepting there from 52 ½ feet off of the south end thereof

be and the same is hereby established as MF1 Urban Corridor Multifamily District.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

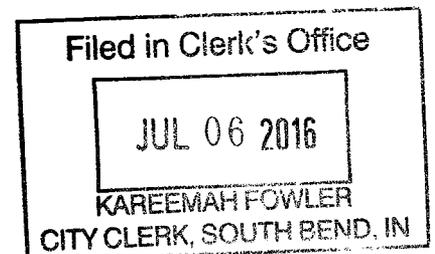
Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1<sup>st</sup> READING  
PUBLIC HEARING  
3<sup>rd</sup> READING  
NOT APPROVED  
REFERRED  
PASSED



PETITION FOR ZONE MAP AMENDMENT

City of South Bend, Indiana

**I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.**

1) **The property sought to be rezoned is located at:**  
202 Bartlett St.  
South Bend, IN 46601

2) **The property Tax Key Number(s) is/are:** 018-1007-0238

3) **Legal Descriptions:** Lot numbered thirty-five (35) as shown on the recorded plat of Hammond and Whitcomb's addition to the city of South Bend, IN St. Joseph County, Indiana, excepting therefrom 52 1/2 feet off of the south end thereof.

Parcel ID No.: 71-08-01-327-001.000-026

4) **Total Site Area:** 0.06 Acres

5) **Name and address of property owner(s) of the petition site:**

Justin Bogunia  
22977 Quinn Rd  
Lakeville, IN 46536  
574-850-6308  
justinfb1@live.com

**Name and address of additional property owners, if applicable:**

6) **Name and address of contingent purchaser(s), if applicable:**

Name  
Address  
City, State Zip Code  
Phone number with Area Code  
E-Mail Address

**Name and address of additional property owners, if applicable:**

7) **It is desired and requested that this property be rezoned:**

**From:** Choose current zoning district SF2 Single Family Two Family District

**To:** MF1 Urban Corridor Multifamily District

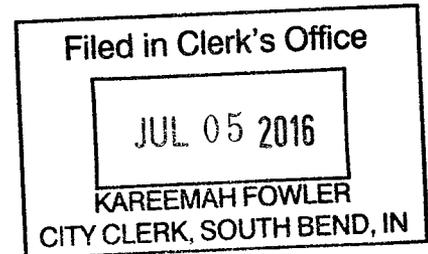
8) **This rezoning is requested to allow the following use(s):** Tri-plex, 3 unit rental property

**IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):**

1) *From the minimum parking 6 spaces to 0*  
*From the required foundation landscaping to none on the west side of the property.*  
*From the required landscaping to 2 ornamental trees on the north perimeter.*

2) **A statement on how each of the following standards for the granting of variances is met:**

(a) **The approval will not be injurious to the public health, safety, morals and general welfare of the community:** *These variances will not negatively affect the community.*



- (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *Adding the landscaping and using the street parking will not affect the adjacent property adversely. There is adequate parking on the street.*
- (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *This property is restricted by the structure that currently exists on it.*

**IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):**

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *N/A*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
  - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *Insert text*
  - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *Insert text*
  - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *Insert text*
  - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan. *Insert text*

\* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

**CONTACT PERSON:**

*Justin Bogunia  
22977 Quinn Rd  
Lakeville, IN 46536  
574-850-6308  
justinfb1@live.com*

**BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.**

Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

*Justin Bogunia*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Information shown on this map is not warranted for accuracy or merchantability. Reproduction of this material is not possible without the written permission of St. Joseph County, Indiana.  
Date: 7/5/2016  
1 in = 20 feet



STREET PARKING

Bartlett

SOUTH BEND

Filed in Clerk's Office  
JUL 05 2016  
KAREEMAH FOWLER  
CITY CLERK SOUTH BEND

St Joseph



**Common Council**

City of South Bend Indiana  
Jo Broden, 4<sup>th</sup> District Council Member  
4<sup>th</sup> Floor County-City Building  
227 West Jefferson Boulevard  
South Bend, Indiana 46601  
(574) 235-9173 Facsimile

(574) 235-5978

(574)235-5567 TTY/TDD

July 6, 2016

The South Bend Common Council  
4<sup>th</sup> Floor County-City Building  
South Bend, Indiana 46601

Re: Proposed Zoning Text Changes to Chapter 21 of the *South Bend Municipal Code*

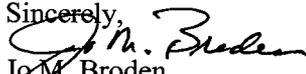
Dear Council Members:

The Common Council of the City of South Bend, Indiana, passed a new zoning ordinance that went into effect on May 7, 2004. Since the passage of that ordinance over 12 years ago, the housing market has continued to change and evolve.

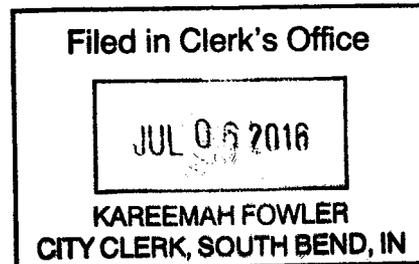
The proposed changes in the attached ordinance, broaden our zoning code definition of group residence to encompass more housing options of interest to persons desiring to live in varied, evolving configurations of shared residential community than previously defined. It also proposes to expand the areas within our City where such group residences may locate as special exempted uses. Specifically, the Central Business District East and the Central Business District West would be additional areas within South Bend to accommodate innovative and market-responsive group housing models to develop.

This proposed ordinance, in conjunction with the above definition and use expansions, also seeks to clarify the definition of family. While Common Council initiated, these proposed ordinance changes have been collaboratively drafted and reviewed with staff members of the Area Plan Commission, as well as, the City of South Bend Department of Community Investment's planning staff and attorneys from the Department of Law. All of the proposed changes are aimed at keeping South Bend competitive and welcoming with respect to changing trends in housing.

I respectfully request the Common Council schedule this proposed ordinance for first reading at the July 11<sup>th</sup> Council meeting so that the Bill can be sent to the Area Plan Commission for their meeting of August 16<sup>th</sup>, and to the Council's Zoning and Annexation Committee, with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading at the August 22<sup>nd</sup> Common Council meeting. Thank you for your consideration.

Sincerely,  
  
Jo M. Broden

South Bend Common Council Member 4<sup>th</sup> District



BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE INITIATED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 3 BY ADDING GROUP RESIDENCE TO SPECIAL EXCEPTION USES IN CBD CENTRAL BUSINESS DISTRICT; AND SECTION 11 BY UPDATING THE DEFINITION OF FAMILY AND GROUP RESIDENCE.

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance that went into effect on May 7, 2004. Since the adoption of the ordinance, the housing market has continued to change and evolve. The proposed changes recognize the growing popularity of non-traditional housing arrangements. Providing an opportunity for Group Residence within the densely populated Central Business District will allow for the changing trend in housing to be accommodated where the services and infrastructure are already in place or can be reasonably developed.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Commercial/Mixed Use Districts, Section 21-03.06 CBD Central Business District, subsection (a) (2) *Special Exception Uses*, is hereby amended as follows:

(H) Residential (in CBD Districts located west of the St. Joseph River): *Multifamily Dwellings; Group Residence*

(I) Residential (in CBD Districts located east of the St. Joseph River): *Group Residence*

~~(J)~~

SECTION II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 11 Definitions, Section 21-11.02 Definitions, is hereby amended as follows:

Family: One (1) or more persons related by blood, legal adoption or marriage, living and cooking together as a single housekeeping unit, ~~exclusive of household servants; or, a number of persons;~~ or, a number of persons, but not exceeding two (2) who are not related by blood, legal adoption or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. A person or persons residing with a family as hereinabove defined by reasons of placement by a publicly licensed placement agency shall be considered as members of that family.

Group Residences: A residential facility ~~which in addition to providing any combination of food, and shelter, may also provide some combination of~~ personal care, social

services, counseling services or transportation to residents; or a residential facility providing common living areas such as a kitchen, living room, dining room or recreational rooms. Group residences would include halfway houses, work release houses or any other similar form of residential facility for individuals which do not qualify as a family or any other form of residential facility expressly provided for in this ordinance.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

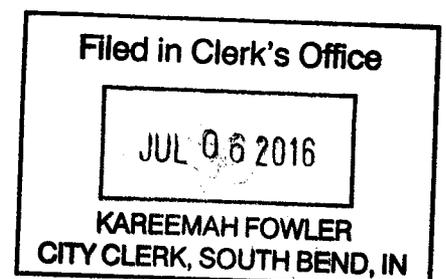
Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1<sup>st</sup> READING  
PUBLIC HEARING  
3<sup>rd</sup> READING  
NOT APPROVED  
REFERRED  
PASSED







**Common Council**

City of South Bend Indiana  
 Jo Broden, 4<sup>th</sup> District Council Member  
 4<sup>th</sup> Floor County-City Building  
 227 West Jefferson Boulevard  
 South Bend, Indiana 46601  
 (574) 235-9173 Facsimile

(574) 235-5978

(574)235-5567 TTY/TDD

The South Bend Common Council  
 4<sup>th</sup> Floor County-City Building  
 South Bend, Indiana 46601

July 6, 2016

Re: Proposed zoning text amendments for Multi-Family, MF 1, MF 2 and Mixed Use Districts

Dear Council Members:

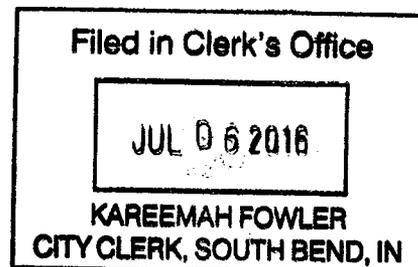
On May 7, 2014, the new zoning ordinance took effect which reflected months of review by representatives of the City under the overall direction of the Area Plan staff. Amongst individuals and residential developers, there is a renewed interest not only in converting older, often larger homes back to single-family, but also building new construction within areas of our City currently restricted by zoning for more intensive uses. The proposed changes in this ordinance, broadens the areas within our City where those interested in reversions or new builds would undertake a less onerous process for building approval within Multi-Family 1 and Multi-Family 2 districts, and adds the potential for single family dwellings within Mixed Use Districts as a special exempted use.

The proposed ordinance expansions on permitted and special exempted uses as it pertains to single family dwellings have been collaboratively drafted and reviewed with members of the Area Plan Commission, as well as, the City of South Bend Department of Community Investment's planning staff and attorneys in the Department of Law.

I respectfully request the Common Council schedule this proposed ordinance for first reading at the scheduled July 11 meeting so that the Bill can be sent to the Area Plan Commission and to the Council's Zoning and Annexation Committee, with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading at the August 22<sup>nd</sup> Common Council meeting. Thank you

Sincerely,

Jo M. Broden  
 South Bend Common Council Member 4<sup>th</sup> District



BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE INITIATED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 2 BY ADDING SINGLE FAMILY DWELLING TO PERMITTED USES IN MF1 URBAN CORRIDOR MULTIFAMILY DISTRICT, MF2 HIGH-DENSITY MULTIFAMILY DISTRICT, AND MU MIXED USE DISTRICT

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance that went into effect on May 7, 2004. Since the adoption of the ordinance, the housing market has continued to change and evolve. The proposed changes recognize revived interest in converting older homes back to single-family residential. Various districts within the City of South Bend need to be updated in order to accommodate a wider variety of housing types in order to better serve the public.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Residential Districts, Section 21-02.03 MF1 Urban Corridor Multifamily District, subsection (a) (1) Primary Uses, is hereby amended by adding a new subsection (K) as follows:

(K) One (1) Single Family Dwelling

SECTION II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Residential Districts, Section 21-02.03 MF1 Urban Corridor Multifamily District, subsection (a) (2) *Special Exception Uses*, is hereby amended by deleting a portion of subsection (F) as follows:

(F) Residential: Including by not limited to: *Group Home; Group Residences; Single Family Dwelling.*

SECTION III. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Residential Districts, Section 21-02.04 MF2 High-Density Multifamily District, subsection (a) (1) Primary Uses, is hereby amended by adding a new subsection (J) as follows:

(J) One (1) Single Family Dwelling

SECTION IV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Residential Districts, Section 21-02.04 MF2 High-Density Multifamily District, subsection (a) (2) *Special Exception Uses*, is hereby amended by deleting a portion of subsection (F) as follows:

(F) Residential: Including by not limited to: *Group Home; Group Residences; Single Family* and *Two Family Dwellings* (located on an individual *Lot* and not as part of a

larger *multifamily* project – see Section 21-02.04, (b) (16) for applicable development standards).

SECTION V. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Commercial/Mixed Use Districts, Section 21-03.02 MU Mixed Use District, subsection (a) (2) *Special Exception Uses*, is hereby amended as follows:

(F) Residential: Including but not limited to: *Group Residences*, One (1) *Single Family Dwelling*

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

READING  
 PUBLIC HEARING  
 2<sup>nd</sup> READING  
 NOT APPROVED  
 REFERRED  
 PASSED

